

Mission:

The Privacy Workgroup has been chartered to understand the impact of legal and regulatory mandates as it relates to the implementation of Together for Quality (TFQ), Alabama Medicaid Agency (ALMA) transformation grant. This group's mission is to provide interpretation of the laws and regulations such as HIPAA privacy and security rules and to provide general guidelines and recommendations that should be followed in implementing the technology solution.

Scope and Boundaries:

- Provide clear and accurate interpretation of the HIPAA privacy regulations.
- Document the risks associated with implementing the technology for a statewide, dynamic, interoperable enterprise database (PDH) and health information system (HIS). Especially ensure appropriate recognition is given to consumer perspectives on privacy, as well as impact on provider relationships.
- Provide general privacy policy review and interpretation including state and national regulations.
- Review, provide feedback, and make recommendations on data sharing agreements including inclusion of business associate agreement language when appropriate. In the future will be asked to focus on disclosure guidelines, data sharing between entities (state agencies, providers, and public health purposes, etc.
- Assist in the development of a universal consent form/language that will allow for sharing of patient data across healthcare entities. While the work group will make recommendations on implementation, it will not be responsible for actual implementation.
- In the second year determine any common policies that need to be developed for violations of patient privacy.
- Review, provide feedback and make recommendations regarding the process for granting access (e.g. who should have access and for what to data and for what period of time, address access for job changes, termination of access) to patient data.
- Review, provide feedback and when appropriate make recommendations to the technical and clinical work groups on issues such as: emergency access procedure, authorization & authentication models, integrity control guidelines, access to HIS information, etc.
- Address provider or facility management that allow for exceptions to consent form policy
- Identify protected patient populations and methods for data management within the exchange. Delineate how restrictions to PHI, amendments to PHI, and accounting of disclosures will be handled. ("Participation" Functionality issues)
- This group shares work with the Technology Work Group to address security issues where overlap may occur.
- Responsible for bringing and representing stakeholder privacy related concerns to appropriate parties (e.g. ALMA Project Sponsor Team, Advisory Council, other work groups)

The Privacy Workgroup will **NOT** focus on:

- The identification of the clinical outcomes and interventions of the clinical data exchange
- The identification of costs or benefits related to the implementation of the regional data exchange
- The infrastructure upon which the data exchange will be built

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- Individual institution's privacy and security policies
- Enforcing recommendations
- Vendor solution recommendations
- Specific legal advice opinion or documentation

Constraints:

- Too large; don't do it all at once
- Doesn't include BCBS and others
- Perceptions of public and provider
- Trust
- Focus on patient care

High-Level Timeline/Action Plan through October, 2008 (UPDATED as Needed):

Action/Milestone	Deliverable (if applicable)	Completion Date (target)	Comments
Variations & Legal Group			
Follow national HISPC			
Form group			
Review other group effort (Technology)			
Review other states			

Workgroup Membership:

Name	Organization	Phone Number	Email Address
Mark Frisse	Vanderbilt		
Bill Butler (Co Chair)	Medicaid		
Kimberly A. Hill	ADRS/EI		
Cathy Caldwell	ADPH - CHIP		
Iola Dow	Medicaid		
Priscilla Miles	Medicaid		
Sharon Taylor	AIDA		
Freda Hall	DHR		

Other Notes:

Issues topics for other Workgroups:

- Clinical-who will use the data?
- Technical: Infrastructure security
- Stakeholder Council: How much on tech? Confidentiality? On process?